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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/463,010	01/19/2000	Takeshi Hoshino	500.38106X00	5763

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EXAMINER	
BAUTISTA, XIOMARA L	
ART UNIT	PAPER NUMBER
2173	

DATE MAILED: 10/03/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/463,010

Applicant(s)

HOSHINO ET AL.

Examiner

X L Bautista

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 19 January 2000 and 04 June 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) 6-11 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) 1-5 and 12-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 January 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. **Claims 1-3, 5, and 12-16 are rejected under 35 U.S.C. 102(e) as being anticipated by *Card et al* (US 5,838,326 A).**

#### Claim 1:

Card discloses a three dimensional document workspace for interacting with large numbers of document objects. The documents can be selected by touch-drop and flick gestures (abstract; col. 2, lines 65-67; col. 3, lines 1-13). The document workspace is divided hierarchically in terms of interaction rates. A user may change their view of the document workspace in order to view different portions of the workspace in more detail (abstract; col. 3, lines 14-29). Card teaches that the system includes rendering means for viewing audio, video,

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and (multimedia) graphical portions of documents, and animation (col. 1, lines 60-67; col. 2, lines 1-3; col. 4, lines 36-40; col. 7, lines 33-39; figs. 22a, 2b).

Claim 2:

See claim 1. Card teaches that the document objects have sizes determined according to a utilization degree of user (abstract; col. 3, lines 25-29; col. 7, lines 17-18, 32-39).

Claim 3:

Card teaches document objects that are displayed with sizes sequentially minimized toward a deeper place in a direction of depth (abstract; col. 7, lines 1-14).

Claim 5:

Card teaches that a document object contains display/manipulation information, which refers to data defining how the text and image data is to be presented to the user (col. 8, lines 15-21, 27-44).

Claims 12, 13, 14, 15, and 16:

See claim 1. Card teaches a document workspace divided hierarchically in terms of interaction rates. A focus space is where direct interaction with a document object occurs. The focus space is generally the center of the display area. An immediate memory space is for placing documents objects that are in use, but not currently being interacted with, and is divided into an air space and a desk space (not currently being viewed). The air space is located behind the focus space and is divided into subareas. Each subarea corresponds to a distance back (in the z-direction) in which the document object is positioned. The further back, the smaller the size of the representation of the document object (col. 3, lines 14-29; col. 9, lines 57-67; fig. 2a).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 4 and 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Card in view of Gallup et al (US 6,201,540 B1).**

**Claim 4:**

Card teaches that a document object is visually represented depending on what it represents but he does not teach that the objects have different contours corresponding to kinds of media. However, Gallup discloses an automobile computer system having a computer configured to support multiple applications. A plurality of application icons are scrollable across the visual operator interface by a user. The operator interface has a fixed focus position, wherein any application icon that is scrolled to the fixed focus position becomes focused and can be activated to select the application corresponding to the focused application icon. The icons have different shapes corresponding to kinds of media (abstract; col. 1, lines 61-67; col. 2, lines 1-34, 50-61; figs. 3-5). Therefore, it would have been obvious to one ordinarily skilled in the art at the time the invention was made to include Gallup's icons in Card's invention because they provide the user with graphical indication about the kind of media that represents and it also facilitates selection.

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Claims 17, 18, 19, and 20:

See claim 1, 4, and 14. Gallup teaches menus of available application programs and Graphical control elements that are available to the application programs from an operating system of an automotive accessory (abstract; col. 1, lines 5-12, 61-67; col. 2, lines 1-34, 50-61; figs. 3-5). Card teaches that a document object is visually represented depending on what it represents (col. 8, lines 27-28). Gallup teaches an automotive accessory 50 that can be used to integrate multiple vehicle-related systems onto one open platform. For instance, the accessory can serve as a multimedia entertainment system, a navigation system, a communications system, etc., (col. 4, lines 24-37).

***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

***Inquiries***

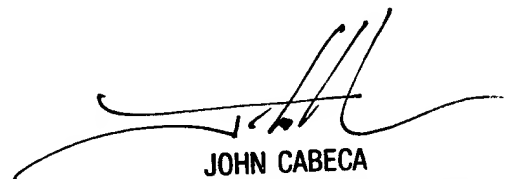
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to X L Bautista whose telephone number is (703) 305-3921. The examiner can normally be reached on M-Th (8:00-18:00) Fridays Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W Cabeca can be reached on (703) 308-3116. The fax phone numbers for the

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organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.



JOHN CABECA  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100

X L Bautista  
Examiner  
Art Unit 2173

xlb  
September 23, 2002